



John L. Salomone  
Town Manager

# TOWN OF NEWINGTON

131 CEDAR STREET  
NEWINGTON, CONNECTICUT 06111

**MAYOR JEFF WRIGHT**

## MINUTES

### NEWINGTON TOWN COUNCIL PUBLIC HEARING

**January 12, 2009**

Mayor Wright called the meeting to order at 7:00PM in the Council Chambers of the Newington Town Hall. The Pledge of Allegiance was recited.

#### Councilors Present

Councilor Banach  
Councilor Boni  
Councilor Bottalico  
Councilor Bowen  
Councilor Cohen  
Councilor Lenares  
Councilor Nagel  
Councilor Nasinnyk  
Mayor Wright

#### Staff Present:

Lori Verreault, Executive Assistant

Mayor Wright explained that the purpose of the public hearing is to provide an opportunity for interested individuals to express their views regarding the draft report of the Charter Revision Commission.

### **PUBLIC PARTICIPATION**

**William Reynolds, 116 Sterling Drive:** Mr. Reynolds noted that this is the fiftieth anniversary of legislation that allows municipalities to develop and organize their own town governments; prior to that many municipalities operated under Connecticut General Statutes using a Selectman/Town Meeting form of government. He stated that in July 1959 the Home Rule law came in to being and he noted at that time he came to Hartford as the Director of Consulting Services for the Connecticut Public Expenditure Council. He indicated that his role was to work with the cities and towns as they exercised the right to organize their own governments and he spent four years working with towns' charter commissions and charter drafts. He stated that Newington's proposed budget referendum is not actually a referendum on the budget but rather a referendum on the mill rate. Mr. Reynolds also stated concern that voters will be in the dark and will have no idea what will be included in the revised budget if the first budget is voted down. He stated that true budget amendment would recognize what would happen in terms of dollars and what will be cut with the reduced mill rate. Mr. Reynolds commented that who ever wrote the proposed section 821 has no idea what a budget is, noting that the language goes back and forth between the terms "appropriation" and "expenditure" and stating that there is a distinct difference between the two terms. He remarked that if this section is approved it will be an embarrassment to the Town. (Mayor Wright requested that Mr. Reynolds wrap up his remarks.) Mr. Reynolds stated that there is a difference between "real dollars", "expenditures" and "appropriations" and there is a difference between "may" and "must". He also stated that section 415 violates the existing Charter. He indicated that a current Town Councilor sits on the current Charter Revision Commission which violates Home Rule Laws that state that there must be at least five valid members on a Charter Revision Commission. He recommended that the Town discharge the existing Charter

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Revision Commission (Mayor Wright again requested that Mr. Reynolds wrap up his remarks). Mr. Reynolds stated that the Town should discharge the Commission to save itself some embarrassment.

**Robert Briggaman, 75 Groveland Terrace, Charter Commission Member:** Mr. Briggaman indicated that his comments are directed to the citizens of Newington. He stated that he has taken his responsibility as a member of the Commission seriously and has strived to work in the best interests of the Town. He stated that the Commission's work has not been easy and remarked that opponents of section 821 have not been bashful in their opposition. Mr. Briggaman indicated that Commissioners have been the targets of insults and unfounded accusations, have been told they don't know what they are doing and have even been told that they are a bunch of Nazi. He stated that the Mayor has been called a dictator and the members of the Commission are an embarrassment that is going to ruin the Town. He remarked that the Commission has managed to remain on the high road throughout the process, above the fray. He requested that taxpayers ask themselves "who's watching out for me?". He inquired whether taxpayers feel that past Town Councils have had their best interests in mind, whether wasteful spending has been eliminated in all branches of Town government, whether pay increases and/or Social Security payments have kept pace with the past spending practices of the Town, whether anyone is listening to the taxpayers' concerns, whether taxpayers realize that that taxes went up nearly 60% from 2000-2007. He stated that if the answer is no to any of the questions then there is a Charter Revision document for you. Mr. Briggaman stated that he has worked at the grassroots level during the last election cycle, going door to door and indicated that he spoke to a substantial number of citizens during that time. He stated that he has heard the frustrations of overburdened taxpayers who want change and accountability and want it now. He stated that some people have even questioned whether they could afford to live in Town and many expressed frustration that no one is listening to their concerns. Mr. Briggaman stated that some of us are listening and are going to deliver on our promises. He stated that other speakers have stated that we live in a representative democracy and remarked that this has not always worked as well as advertised, as made clear by recent events in Washington DC. He noted that representatives were given the responsibility to watch over the nation's financial system, and remarked that these representatives were not watching out for the citizens and for many people their financial security is now in jeopardy. (Mayor Wright requested that Mr. Briggaman wrap up his remarks.) He stated that direct democracy empowers the people to participate in a referendum and allows citizens to have a direct say in their government. He stated that there will be comments that this Charter will have a negative effect on the Town; how the Town will suffer major program cuts, how services will be drastically cut and how the children will suffer. He noted that most residents own their own homes and make their own budgets (Mayor Wright again requested that Mr. Briggaman wrap up his remarks).

**Elizabeth Lozinski, 21 Red Rock Circle:** Ms. Lozinski stated that she has been a Newington resident for nearly 30 years. She noted that the Council has approved a 3.75% raise for the Town Manager and inquired what will need to be cut in the general fund and in Town services in order to keep the budget at three-percent.

**Barbara Katzman, 5 Eckert Road:** Ms. Katzman stated that voters are responsible for electing the most qualified elected officials, and stated that if the voters elect the wrong people it can be rectified at the next election. She stated that if the revamping of the Charter is wrong it will take a very long time to correct the damage. She stated that she does not want a mathematical formula, a three-percent tax cap, to determine the needs of the community. She stated that she is a homeowner and a retiree and knows all about tightening budgets, but stated that as a homeowner she also knows that a roof or a driveway can fail unexpectedly, and stated that there are increasing traffic and public safety issues in the Town that merit constant revision. Ms. Katzman stated that she does not want to see cuts in school staffing, law enforcement or Town maintenance and remarked that budgets need flexibility, not limits. She stated that while she does not advocate reckless spending, cutting for the sake of a percent is not in the best interest of the Town. She noted that Newington is a growing Town and needs flexibility in its budget. She stated that she is against the budget referendum.

**Sharon Braverman, 39 Churchill Way, Board of Education Member:** Mrs. Braverman indicated that she is a thirty-four year resident of Newington. She commented that she believes that Mayor Wright loves the Town and is working in what he believes is the best interest of the Town, but stated that in this uncertain economic time the Town has no idea what is coming and will probably get a reduction of funds from the State of five-percent or more. She noted that she recently attended a meeting at the State Legislative Offices with various school superintendents and noted that a topic of discussion at the meeting was how a budget referendum makes it difficult to hire a school superintendent. Mrs. Braverman noted that Dr. Perlini is retiring soon and the Town is in the position of needing to hire a new Superintendent. She implored the Council and the citizens not to stranglehold the Town and not to make a mistake. She stated that the Town needs flexibility in its budget. She noted that the Board of Education and the Town Council spend countless hours researching and preparing the budget and noted that the average citizen won't have the benefit of having the time and information needed to

understand the budget. She stated that without information the voters are only voting on a number. Mrs. Braverman stated that the elected officials were put in office to do a job and to keep the Town moving forward.

**Hy Braverman, 39 Churchill Way:** Mr. Braverman stated that a budget referendum takes away the voters' right to elect representatives to speak for them. He stated that this is not like the situation in Washington; in Newington we know our elected officials, they live in our neighborhoods. He stated that it is not a good idea to subvert the representative system and to incur the additional costs to the Town to hold a referendum. He stated that in order for citizens to make an informed vote the entire budget book must be distributed to every single voter and inquired as to the cost of doing so. He inquired how people would get information, and inquired whom they would go to if they have questions or need more information. Mr. Braverman indicated that many people do not have the internet and noted that local newspapers are on shaky ground. He stated that people will not have information needed to make a clear judgment on the budget and stated that he is therefore against the budget referendum.

**Val Ginn, 15 Golf Street:** Ms. Ginn stated that she is a former Republican Town Councilor. She stated that she is against the mandatory budget referendum. She indicated that all of the former officials that were invited to speak before the Commission had indicated that our current Charter is a strong and effective document that has served the Town well over the years. She noted that the requiring a budget referendum is a fundamental change, and noted that the writers of the Town's current Charter had rejected a budget referendum of any kind. She noted that a vast majority of the speakers that came before the Commission were opposed to the concept. Ms. Ginn inquired as to why the Town should reject this collective wisdom. She stated that the Town should not be bullied by a very small group of people with an agenda, and stated deep concern that this change will harm the Town's form of government and will result in severe consequences both in the present time and for future leaders and residents of the Town. She inquired what would happen in the event that the Council cannot meet a three-percent cap in a given year, noting the possibilities of a severe economic downturn, teacher arbitration case, cuts in State funding, new State mandates, losing a top taxpayer in Town, sudden need for repairs in Town Hall, etc. She stated that with this plan the Town is painted into a corner and in these cases can only achieve the budget cap by cutting services. She inquired what services will be cut, and stated that a mandatory budget referendum ties the hands of elected officials. Ms. Ginn inquired as to why the Town can't trust the Council to do its job, and implored the Council to tell the voters the truth.

**Gary Bolles, 28 Burdon Lane:** Mr. Bolles stated that he is a lifelong Town resident. He stated that everyone is concerned with the economy, and stated that he places the blame directly on the lavish spending on Wall Street and the Security and Exchange Commission members that are supposed to oversee Wall Street. He noted that the State of Connecticut currently has a \$300 million dollar deficit, and stated that the Town should give the State back the million dollars it received for parking lot improvements in the center of Town. He stated concern with the budget referendum, especially in regards to capital improvement projects. Mr. Bolles noted the roof replacement projects at Martin Kellogg Middle School and Newington High School in which \$495,000 was budgeted for the projects, but the actual bids came back at \$780,000. He inquired how the Town would handle an increase under the budget referendum system. He stated that he is in favor of leaving the budget in the hands of the Town Council.

**Tom Ganley, 223 Goodale Drive:** Mr. Ganley stated that scare tactics are going to be prevalent throughout the process by those who are against the budget referendum. He stated that there a group of Independent voters in the Town that are going to have to make a drastic decision about how to vote in this referendum. He explained that Independent voters vote for people, not for parties, and noted that Independent voters do not pick who is going to be on the ballot. He also stated that Independents do not pick who is going to serve on boards or commissions. He stated that there are philosophical and political differences between the two parties, and they are formed within the parties without the input of the Independents. He stated that issues being voted on have been presented by one or both of the parties. Mr. Ganley stated that the budget referendum gives voters the opportunity to participate in the most important function of Town, government: how deeply the government is going to dig into the voters' wallets. He remarked that the opportunity to participate in the political process in a significant way is a gift and urged Independent voters to go out and vote.

**Bob Gerrol, 37 Turkey Hill Road:** Mr. Gerrol stated that he has been a resident for nearly forty-five years. He stated that the proposed budget referendum and tax cap appear to be ill-conceived. He stated that residents that are not intimately involved in the budget process should not be expected to approve or disapprove a budget. He stated that elected officials are charged with that responsibility and it is up to these officials to make sure that the Town provides goods and services that adequately meet the needs of the residents. He asked the Council to eliminate section 821 from the Charter revision. Mr. Gerrol stated that the language hamstrings the

Council in its responsibilities and is disruptive to the budget process. He stated that the process is disrespectful to the amount of time and energy that the Council and the Board put into the budget every year.

**Joyce Lozinski, 21 Red Rock Circle:** Ms. Lozinski inquired how the Council can justify spending \$20,000 or more on per budget referendum when the money could be put to better use towards State-mandated education programs. She urged the Council to consider pre-scheduled events during winter vacation when considering the date of the Charter referendum, as many families go away during February vacation, and inquired whether it is important to hold the referendum when people are away. She noted that the Highway Department did a wonderful job of cleaning up during the last snow storm and stated that she does not believe that the Department could have done such a good job if there were a three-percent tax cap in place.

**Mary Udice, 26 Dalewood Road:** Ms. Udice stated that the system of representative democracy exists at every level of government. She stated that elected officials spend countless hours educating themselves on the issues necessary to govern. She remarked that a budget referendum attacks this basic form of government and would subject the Town to the whims of special interest groups. She implored the Council to listen to the wisdoms of the Town's former leaders and founders of the original Charter. She stated that representative democracy works, and asked the Council not to fix what isn't broken.

**Mady Kenny, 53 Crestview Drive:** Mrs. Kenny stated that while all people involved have been working to preserve the qualities that have made this Town so desirable, this process has had a level of contention and acrimony regarding various provisions to the Charter. She noted comments that members of the Commission have been maligned and remarked that speakers who have expressed sincere concerns with the revisions have been chastised for not blindly supporting the viewpoint of the supporting party. Mrs. Kenny spoke in opposition of the three-percent tax cap and stated that it does not reflect the reality of economic fluctuation. She also spoke in opposition of the budget referendum for reasons she has expressed in previous meetings. She also spoke against Charter provisions that would allow members of the Council and Board of Education to serve as voting members of boards and commissions and cautioned that doing so would concentrate the power in hands of the few and leave little reason to believe that voices of opposition will be heard. She stated that while former local officials have engaged in this practice now is the time to rectify the situation. Mrs. Kenny noted that questions have been asked regarding potential cuts that would occur with a tax cap in place and stated that voting on a budget will only determine what is available for spending, not how the funds are spent. She stated that she does not believe that members of the Council will ever respond to these questions, rather it will be left up to the departments to make the determinations of which services will be impacted. She stated, however, that the Council will not be able to wash its hands of this responsibility and stated that there will be a price to pay, which may become an out of pocket expense for the Town residents. She requested that the voting date for the Charter revision is not scheduled during school vacation, as doing so could potentially disenfranchise a significant number of voters as families make vacation plans.

**Jim Stawski, 84 Partridge Drive:** Mr. Stawski stated that he has attended some budget meetings over the years and remarked that he has been completely fed up with those meetings. He stated that the Council does not listen to the public at all, and stated that all of the work is done behind closed doors. He noted that former Mayor Mortensen was in favor of Charter revision but ran into a brick wall and couldn't get it done. Mr. Stawski stated that residents got fed up and then voted in the Republicans in a landslide. He stated that voters have spoken, and requested that the Councilors keep this in mind as they cast their votes.

**Sandy Lallier, 27 Elton Drive:** Mrs. Lallier thanked the Council for scheduling the Public Hearing on a different date than the regular Council meeting. She spoke against the Charter revision as written. She stated that representative democracy in its current form works and is the way to go in the future. Mrs. Lallier remarked that the Mayor does love the Town and is trying to work in the best interest of the Town but stated that there is no place in the Charter for section 821 as written. She noted that she would be in favor of a permissive referendum, but not of a mandatory referendum as written. She noted that Commission Chair Bafundo had stated in a previous meeting that the Commission was wordsmithing the document and was charged with creating a lasting document. Mrs. Lallier commented that the document can still be wordsmithed and the language can create a compromise that does not tie the hands of elected officials. She stated that there are many people in Town that have no idea what this revision means and expressed concern over the lack of minimum voter turnout requirements as written in the Charter. Mrs. Lallier stated that the Commission has until April to complete this work and remarked that the document should go back to the Commission for more work. She stated that people need to become more informed about the issues and urged voters not to vote yes for the document and remarked that the document can be crafted to be better for the Town.

**Kenneth Brooks, 142 Edward Street:** Mr. Brooks noted concerns that people feel that the Council is not going to listen to what they are saying. He stated that he is opposed to the mandatory budget referendum and a three-percent tax cap. He stated that the three-percent cap poses problems during low and high inflation periods and is a bad idea. He stated that members of the Council are elected to tend to the affairs of the Town and can be easily replaced if needed. He inquired how voters are going to get information to vote on a budget, and stated that the only public notice he saw even about this meeting was a notice in the Hartford Courant. Mr. Brooks stated that the Council has extensive materials and budget books to review when making the budget. He stated that the Council has the ability to limit the taxes to three-percent; it does not need a referendum to do so.

**John Kelly, 293 Maple Hill Avenue:** Mr. Kelly thanked the Mayor and the Council for bringing the issue to the public. He stated that the current Charter is a good document, and while there may be some sections that need to be tweaked he does not feel that there need to be wholesale changes made, and stated that the revisions should not include a budget referendum component. Mr. Kelly noted that voters choose a nine-person Town Council to make decisions that the general public is not necessarily as informed on, such as spending, programs and policies for the Town. He stated that voters have the chance every two years to agree with the Council's work or to vote out the Councilors if it disagrees with the Council's work and expressed concern that with a budget referendum the campaign process will never end – it will go from an election campaign to a referendum campaign at budget time. He also expressed concern that a tax cap will limit funding for Town programs. He stated that the budget referendum process will divide the Town at a time when it needs to come together. He stated that he does not support the budget referendum and requested that the Town Council does not include it in the Charter draft. Mr. Kelly also asked the Council not to hold the vote on the Charter during the February school vacation.

**Rose Lyons, 46 Elton Drive:** Ms. Lyons remarked that although she had previously stated that she is no longer going to speak about the Charter revision the more she watched reruns of recent meetings the angrier she became and stated that she still has unanswered questions. She noted that the Mayor had informed her that section 821 was written for attorneys by attorneys, and noted that another member of the public had commented that this is GARP – Government At A Reasonable Price. Ms. Lyons remarked that she has a different meaning of GARP – Government Against the Right to Participate. She quoted her father: "Did you have the right to do it, or did you do it in the right way?". She stated that the Commission had the right to do it, but did not do it in the right way, Ms. Lyons indicated that her question of whether her yes or no vote on a budget referendum would give her any more say than she has right now as to how the money will be spent continues to go answered. Ms. Lyons stated that she is a registered Democrat who has never been involved in politics until former Mayor Mortensen challenged the public to get more involved in the budget process. She noted the Town Republican's three-point pledge that states "Newington serves independent thinkers (comment not audible on the tape) ...people will take back their local government..." and questioned that if this pledge were in fact true then why weren't more average citizens chosen to serve on the Charter Revision Commission. She noted the Charter change that would allow the Mayor and Councilors to serve as voting members on a board or commission and noted Commissioner Bafundo's comments that this was done to legitimize a practice that has been going on for years. She also noted that it interesting that Atty. Clark was able to give an instant opinion when a question was raised regarding the legality of Commission Boni's motion to forward the Charter draft to the Town Clerk, but stated that he needed time to research Commission Briggaman's concerns regarding the Education Circuit Breaker. (Mayor Wright requested that Ms. Lyons wrap up her remarks.) Ms. Lyons noted that Commissioner Bafundo had stated that members of the public and speakers have been heard. She stated that people have not yet been heard, but they will be heard. She inquired whether members of the public have ever attended a Council or Board meeting, public hearing on the budget, read the Charter, and understand the Charter draft – particularly section 821. She remarked that if the members of the public have answered no to any of these questions than this draft of the Charter is "not the document for you."

**Chuck Garry, 37 Garvan Street:** Mr. Garry stated that he has been a resident of Newington since 1960. He noted that in his 26 years of public service in the City of Hartford he learned the three B's: Be Specific, Be Brief and Be Seated. Mr. Garry spoke in favor of both the tax cap and the budget referendum. He stated that the public will have the opportunity to vote in favor of an increase of higher than three-percent if needed. Mr. Garry noted Thomas Payne's quote: "Once you've had too much of a majority you no longer have a democracy". He stated that the people should have the chance to vote on the budget and stated that nine people should not make a decision of more than one or two million dollars.

**Michael J. Fox, 1901 Main Street:** Mr. Fox spoke against section 821. He stated disagreement with the Mayor's comments that opening up the budget process to the people is more democratic. Mr. Fox remarked

that the current budget process is as open as it could and should be. He noted that citizens can comment on public hearings about spending, and indicated that with a budget referendum the public will not have such input, only a yes or no vote. He stated that the Council will only know the results of the vote, not what the public thinks about the vote. He remarked that the current system has worked well for forty-years. He stated that the referendum process itself as well as the education circuit breaker is confusing. Mr. Fox urged the Council to send the Charter revision back to the Commission, and also expressed concern that section 415 could lead to corruption as it would allow two votes for an elected official if that official serves on a board or commission. (Mayor Wright requested that Mr. Fox wrap up his remarks.) Mr. Fox noted that the Charter process can continue until April and again asked the Council to send the draft back to the Commission for more consideration.

**Maryellen Andersen, 11 Franklin Circle:** Ms. Anderson noted that she is a former Town Councilor and Mayor of the Town. She noted that the Town's form of government was changed by the voters from a Town Meeting form of government to a Mayor/Town Manager form of government in 1966. She noted that she has served on two Charter Revision Commissions since 1966 and indicated that she found the process to be worthwhile. She stated that there should be a Charter revision held every five years to address areas that do not conform to State laws, areas that have contradictory language, areas with outdated numbers and areas with obsolete language. Ms. Andersen stated, however, that the Charter is a strong document that works for the Town, which is why no fundamental changes have been made to the document prior to this revision. She stated that former Commissions have studied and rejected the concept of a budget referendum due to the Town Council/Town Manager form of government and the fact that the most important responsibility of the Council is to craft a budget for the Town. She indicated that the Council, with the assistance of the staff, spends countless hours researching the budget in order to make responsible discussions. She noted that this is the Council's job and Councilors are elected every two years to do so. Ms. Andersen stated that she is against the proposed mandatory budget referendum and stated that it is wrong to hold a referendum that does not include a minimum voter turnout. (Mayor Wright requested that Ms. Andersen wrap up her remarks.) Ms. Andersen requested that the Council send these revisions back to the Commission for rejection.

**Lyn Connery, 225 Robbins Avenue:** Mrs. Connery stated that the current Charter has served the Town well and expressed disappointment with many of the changes. She spoke against the proposed budget referendum, as the process will be divisionary to the Town and detrimental to the quality of life in the Town. She indicated that she is employed in a town that holds a budget referendum and stated that the referendum has, at times, caused havoc within that town. She stated that the average citizen is not prepared to know everything about a Town's budget and stated that most people do not have time to attend all of the budget meetings in order to become knowledgeable enough to be able to vote. Mrs. Connery stated that elected officials are put in office to study the budget and to do what is best for the entire Town, not just what is best from one individual's perspective. She stated that it is important that people know that the vote will not give a say on how the money is spent, only how much of it is spent. She indicated that the voters do have the right to vote out Councilors at the next election if these Councilors are not spending taxpayer's money properly. She stated that it makes no sense to spend money on a referendum when it could be put to good use elsewhere. Mrs. Connery also spoke against the Charter amendment that would allow a member of the Council or Board of Education to serve as a voting member on a board or commission as doing so could create a dangerous conflict of interest. She also stated that the Education Circuit Breaker makes no sense and is a fiscally unsound notion. She urged the Council to send the draft back to the Commission for revision, and in the event that the Council does not choose to do so she urged the voters to vote "no" on the Charter revision.

**Rose Tracy, 63 Brentwood Road:** Ms. Tracy stated that while she did agree initially with the budget referendum and a three-percent cap, she remarked that in listening to other speakers she now has questions. She inquired what would happen with a tax cap in the event that a school or Town building was in need of a major repair. She questioned whether the voters will know where the dollars are going. She stated that she is confused about the issue. Ms. Tracy indicated that she had been in favor of a three-percent cap but questioned whether such cap would diminish services.

**Mark Pappa, 105 Back Lane:** Mr. Pappa stated that the Commission and the Council have heard the public's opinion over the past twelve months and over the Commission's twenty-two televised meetings. He indicated that the Commission has spent countless hours laboring over each line of the Charter. Mr. Pappa stated that throughout the process there has been constructive criticism and input that has been considered and implemented by the Commission, but stated that there has also been radical opposition to the Charter revision, specifically on the topic of budget referendum and the three-percent tax cap. He indicated that this radical opposition has called this open and transparent process a "sham" and indicated that many of these radical

opponents are members of the Newington Democratic Committee and their cohorts that have chosen the unfortunate path of misinformation, untruthful editorials, outrageous public comments, intimidation and senseless fear mongering as evidenced on the Newington Democratic Committee's website. He indicated that Mayor Wright has even been compared to a dictator, just because he has proposed to offer taxpayers the opportunity to approve or disapprove a budget increase of more than three-percent. Mr. Pappa indicated that Mayor Wright was elected by voters and his goal is to return some of the powers of the government back to the people and to give transparency to the government. He stated that the residents of Newington deserve this opportunity. Mr. Pappa stated that the radical opponents, the Democrats, have increased taxes by 60% in less than seven years but ironically feel that only elected officials should decide on the budget, and somehow feel that taxpayers are inept or disinterested in making a decision. He remarked that that is how a dictatorship actually does operate. Mr. Pappa stated that the referendum will allow the taxpayers to protect themselves. He stated that there should be no taxation without justification, (Mayor Wright requested that Mr. Pappa wrap up his remarks) Mr. Pappa stated that if the Council does not communicate why it needs more than three-percent then the budget referendum will fail. He urged the Councilors to have the courage to vote yes on the proposed Charter.

**Michael Gerhart, 11 Windmill Lane:** Mr. Gerhart noted that people are in a situation where they need to cut back on their home and business budgets and stated that the Town government should do the same thing. He stated that even with a tax cap there is still representative government and agreed that the Council should have to explain to the Town why it would need a budget increase of more than three-percent. Mr. Gerhart stated that this process increases democracy in the Town and gives the citizens more of a say in the Town while still giving sacred trust to the Town officials. He remarked that a sacred trust should not be confused with a blind trust, and stated that the government should not spend without limits. Mr. Gerhart noted that it is a simple notion, and stated that he is in favor of the budget referendum and tax cap.

**Jeananne McMahon, 17 Copper Beech Lane:** Ms. McMahon stated that she is a registered Independent. She stated that she has watched many of the Charter Revision Commission's meetings on television and has read many articles in the newspaper but has not yet spoken publicly regarding the Charter revision. She indicated that she had prepared a speech that she needed more information, but then she found a copy of the draft revision to the Charter on the Town website and then spent several hours reviewing the document. She stated that the community and the Council needs more time and more information before the document is passed forward. She noted that several speakers have raised valid points regarding the revisions and stated that the Council must feel absolutely comfortable and confident about the impacts of the issues that have been raised prior to passing the document to the public for a vote. Ms. McMahon stated that the two major appointed officials in the Town: Town Manager Salomone and Superintendent of Schools Dr. for the document.

**Robert Randich, 43 Brook Street:** Mr. Randich indicated that he is a former Mayor and Town Councilor. He noted that during his time of service the Council's direction to the Town Manager was to attempt to bring the budget in at under three-percent, and stated that he understands the logic and the theory of a three-percent cap as a platform to run on in an election. He remarked however, that the Charter is a different story. He noted that he is currently reading President-elect Obama's book The Audacity of Hope and he noted that prior to becoming a politician Mr. Obama was a professor of Constitutional Law at the University of Chicago. Mr. Randich quoted from Mr. Obama's book that "the genius of Madison's design is not that it provides a fixed blueprint for action, the way a draftsman plots a building's construction, it provides us with a framework and rules but fidelity to these rules will not guarantee a just society or sure agreement on what is right. It won't tell us whether abortion is good or bad, a decision for a woman to make or a decision of the legislature. Nor will it tell us whether school prayer is better than no prayer at all." Mr. Randich indicated that the point is that any framework should be politically neutral and should not contain any political platform and remarked that every argument heard about why there should be a mandatory budget referendum concerns a political theory on why it would make sense for the Town. He stated that the Charter should not take such a position and stated concern that a mandatory referendum will greatly devalue the Town's representative form of government. He stated that the representatives are elected to do what is best for the Town and if they fail they could be voted out at the next election. Mr. Randich stated that if there is to be a referendum it should only be done upon petition of at least five-percent of the Town's electors. He remarked that comments calling people who are defending forty-year of successful government "radical" are very curious and stated that the people who have spoken have made many good points as to why representative government has worked so well for the Town over the years and noted that the people in office currently are there due to representative democracy.

**Kurt Larsen, 32 Magnolia Street:** Mr. Larsen indicated that he is a lifelong Democrat but stated that he does not consider himself a "radical". He stated that the Town's current system works and stated that a three-percent

tax cap and budget referendum sounds like a great idea because its an easy political sell – no one wants to see their taxes raised. Mr. Larsen stated that the Town's budget must be based on the Town's needs and what needs to be done to accomplish those needs. He stated that this Town is run as a tight ship. Mr. Larsen stated that while three-percent is a wonderful ideology there is no math to back it up and the Town must run within the current economy. He noted that there was a period of several years under former Town Manager Chapman in which there were no tax increases, which everyone loved until it came time to address infrastructure breakdowns. He stated that this is where tax increases came from. Mr. Larsen inquired why this topic is being brought forth at this point in time and commented that it seems to be a political ploy. He stated that voter turnouts are often shamefully small, and with a budget referendum this small turnout will determine the Town's budget because the average voter will not be well-informed enough to make a decision. He implored the Council not to change the current form of government.

**Alan Nafis, 41 Whitewood Road, Charter Revision Commission Member:** Mr. Nafis noted that Mayor Wright had commented that the Charter Commission had voted 4-1 to send the draft report to the Town Council and Mr. Nafis explained that he voted in favor of sending the report to the Council because he wanted to be on the winning side of a vote just once before the process was over and also because he was tired of asking questions that were never answered and tired of not being able to have a real discussion about what the Commission is putting forward. He expressed disappointment that the Commission didn't follow a logical process that took into account various people's input that would result in a better document for Newington, whether or not he agreed with that result. He expressed hope that someone on the Council will listen that the document needs to go back to the Commission for changes and noted that most of the speakers that came before the Commission warned the Commission not to make any fundamental changes to the document and if the Commission should decide to make the fundamental changes they warned the Commission to be very careful with the changes. Mr. Nafis remarked that he does not believe that section 821 is a very careful document. He noted that he had inquired about the meaning of the three-percent cap on a number of occasions and noted that the answer was always that it represents the average inflation over a number of years. Mr. Nafis inquired what an average number has to do with an annual Town budget.

**Peter Boorman, 225 Robins Avenue, Charter Revision Commission Member:** Mr. Boorman noted that there have been many well-reasoned speakers at the Public Hearing. He expressed concern with the Council's agenda set for the next day's meeting in which the Council is set to approve the Charter revision prior to even addressing questions regarding the document. He remarked that the order of the agenda is a slap in the face to those who have taken the time to speak at the current Public Hearing. He inquired whether members of the Council have their minds made up regarding Charter revision and whether their minds were already made up prior to the Public Hearing. He remarked that if the Councilors do already have their minds made up then people will recognize that and take that into account at the next election. Mr. Boorman agreed with Mr. Nafis that the three-percent cap makes no sense and has no meaning. He stated that this should not be a Democratic, Republican or Independent issue; rather it should be an issue for the best interest of the Town. He cautioned that this document as written will have a significant effect on the way that the Town is run. He noted that the Town has heard a tone of politics that has never been heard before...(Mayor Wright requested that Mr. Boorman wrap up his remarks.) Mr. Boorman asked the voters to look at the sources of these political comments and to consider what they want their Town to be.

**Sheryl Werner, 11 High Ridge Drive:** Ms. Werner recommended that the Council send the Charter draft back to the Commission for more consideration. She expressed concern with section 821 regarding the question on the mandatory referendum ballot only allowing for an answer of "yes" or "no". She commented that it would be helpful for the Council to know why people vote "no" on a budget and stated that without feedback from the voters the Council will face the difficult task of figuring out why a budget was rejected by the voters. She noted that according to section 805 the Council holds two public hearings prior to adopting a budget, and noted that these hearings have historically been poorly attended and do not provide the Council with enough feedback. Ms. Werner remarked that the Town budget is a complicated document that is difficult to understand. She expressed concern that voters will react to the budget as just a number that is too high and will therefore vote it down. She also expressed concern with a lack of a minimum voter turnout requirement needed to make a referendum valid. She remarked that passing a budget with a three-percent increase as a result of two failed referendums may be unreasonable given rising costs and these uncertain economic times, and expressed concern that services will be cut and will have to be paid for out of pocket by residents.

**Jeff Hedberg, 120 Northwood Road:** Mr. Hedberg congratulated the Council for moving forward with the process. He remarked that the entire process comes down to the people's choice: choice on the referendum for approving the new Charter. He stated that if the revisions pass future Councils will need to sell the budget to



the public and will have to answer to the voters. He stated that if the Council truly needs to pass an increase of greater than three-percent then the voters will approve that budget. Mr. Hedberg stated that Newington residents are smart and reasonable people. He remarked, however, that if spending gets out of control the voters can vote the budget down. He spoke in favor of the budget referendum as written and stated that he looks forward to the voters' response to the Charter.

**Rodney Mortensen, 53 Meadowview Court:** Mr. Mortensen stated that the Town Charter should not be a Democratic or a Republican document, rather it should be a document that represents everyone in the Town of Newington. He stated that he is a believer in compromise, and recommended that the Council and the Commission engage in compromise. He stated that while he is in favor of a budget referendum he is not in favor of the proposed budget referendum as written. Mr. Mortensen suggested that a provision be included to make the budget referendum permissive in nature with a minimum number of electors required to vote to pass a budget. He urged the Council not to rush the process and stated that Charter revision should not be a process that is done yearly. He also urged the Council not to group all of the Charter revisions into one question on the ballot, as doing so could cause the entire revision including technical changes and updates to fail if people vote against the budget portion of the revisions. He urged the Council to consider a compromise.

**Mady Kenny, 53 Crestview Drive:** Mrs. Kenny noted a speaker's comments that many of the speakers who are in opposition of the proposed Charter are members of the Democratic Town Committee and stated that she is not a member of the Committee. (comment not audible on tape) She also commented that she cannot wait to go home and tell her family that she has been labeled as a radical, something she has never been called before.

**Rose Lyons, 46 Elton Drive:** Ms. Lyons also expressed surprise at being labeled a radical, and commented that she had thought that she was just responding to Mayor Mortensen's challenge to get involved. She remarked that Mr. Pappa's comments have only reiterated her understanding of the term GARP as "Government Against the Right to Participate". She noted Commission Bafundo's previous opinion that the opposition is not happy because things did not go its way and Commissioner Bafundo's remarks that just because the majority of the speakers that came to the meetings spoke against the referendum it does not mean that the majority of people are against the referendum, as those who are in favor of the referendum are busy with their jobs and their lives and don't have time to speak. Ms. Lyons indicated that she had better things to do over the past year yet she still attended Commission meetings along with Council meetings and meetings of other boards and committees, even when she was in favor of issues being discussed at those meetings. She stated that she is not a member of the Democratic Town Committee nor has she ever signed any three-point pledge or served on a board or committee. She warned the Council that there are Republican, Democratic and Independent voters that are as unhappy as she is with the process. Ms. Lyons commended the members of the Democratic Town Committee for voicing their opinions and commented that there are Republicans that won't voice their opinions for fear of retribution. She encouraged the Town Council to think twice about accepting the draft Charter as written.

**Carol Anest, 30 Harding Avenue:** Ms. Anest stated that she is the Chair of the Democratic Town Committee. She stated that of the thirty-four speakers, six are members of the Democratic Town Committee, two of which are former elected officials that were speaking as such. She remarked that the Town should be proud to have Democrats that know what is right for the Town and are willing to come speak without being intimidated by anybody.

**Bill Reynolds, 116 Sterling Drive:** Mr. Reynolds stated that he is not a member of the Democratic Town Committee. He stated that allowing a member of the Town Council to serve as a voting member of the Charter Commission is a violation of the current Town Charter section 415. He stated that while the Home Rule laws allow Council members to serve they also state that there must be at least five members on the Charter Commission. He stated that if the Town abides by its own Charter then one member of the five is not eligible to serve on the Commission and expressed concern that this situation of having a member of the Council serve on the Commission will pose a serious legal problem. He stated that if the Council chooses to continue to recognize the Commission as a valid Commission then he would remark that this is the sloppiest Charter proposal that he has ever seen in his fifty-years of experience. He stated that there are many abuses of language and many examples of contradictory language in the document. He urged the Council to cancel all activities related to the Charter Revision and stated that to continue to move forward would be an embarrassment to the Town.

**Jeananne McMahon, 17 Copper Beech Lane:** Ms. McMahon thanked the Commission for its time and effort. She expressed concern with timeframes surrounding the budget with a referendum in place. She stated that

she is a Human Resources Director involved in hiring and stated that she knows that it is difficult to hire quality teachers and understands that it takes time to source, screen, interview and make offers to these new teachers. She stated that this referendum timeframe leaves the Town very little time to complete this process, and may cause the best candidates to be hired by other towns while Newington is still in its budget process.

**Kurt Larsen, 32 Magnolia Street:** Mr. Larsen noted a previous speaker's request for the Town Manager to make his opinions public about the Charter revision and reminded the public that the Town Manager serves at the pleasure of the Council and therefore he must be neutral on the topic and cannot speak publicly about his opinions.

**Robert Briggaman, 75 Groveland Terrace, Charter Commission Member:** Mr. Briggaman noted that there have been speakers that have stated that this Charter revision will have negative effects on the Town of Newington and how the Town will suffer major program and service cuts. He remarked that these negative naysayers were wrong on the last budget cycle in which the budget increased only 2.86%. He stated that these naysayers will tell the voters about how they are ill-informed and will tell the voters to leave their financial well-being to members of the Council. Mr. Briggaman indicated that most of the voters probably own their own home and have bills to be paid and the possibility of a loss of income, yet most of these homeowners will manage to keep their households running through prudent management of financial resources. He stated that naysayers have the opinion that voters are not informed enough to have a say in how their hard-earned tax dollars are spent. Mr. Briggaman stated that he has much more confidence in voters than that, and remarked that it is time to prove the naysayers wrong. He stated that if voters want real change and a real say in how tax dollars are spent then the voters have the real positive choice to support the Charter revision as it is proposed. He indicated that this language will not allow taxes to increase by more than three-percent unless the people vote for it. Mr. Briggaman implored voters to exercise their right to vote on the Charter revision that includes the budget referendum provision. He quoted Thomas Jefferson: "I know of no safe repository for the ultimate powers of society but the people themselves; and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them, but to increase their discretion by education."

**Hy Braverman, 29 Churchill Way:** Mr. Braverman stated that he is in the information industry and challenged anyone to tell him how the budget information is going to be distributed to every single voter in the Town so that people can make informed decisions. He stated that it is not possible to do so and stated that only a small number of people who have reviewed all of the information and who have had time to become knowledgeable will come out to vote. He remarked that therefore this process is not a full democracy, as a small handful of voters will determine the outcome of the budget.

**Sandy Lallier, 27 Elton Drive:** Mrs. Lallier agreed that people should exercise their right to vote but stated that people should not vote uninformed. She noted Mr. Briggaman's comments that Thomas Jefferson had once made the statement that men are divided into two camps. She stated agreement with that statement but then noted Mr. Briggaman's question of whether the Town trusts the people to vote with their consciences or whether the Town trusts the Council. Mrs. Lallier stated that the Town needs to trust the people to vote more than just their conscience; they need to vote with valid information. She urged the Council to consider whether this document will serve Town over the next generation. She noted that Councilor Cohen and many other people have offered a lot of input and urged the Council to consider this input.

**Sharon Braverman, 39 Churchill Way, Board of Education Member:** Mrs. Braverman expressed concern with the timeline if the budget goes through two referendums. She stated that going through one or two referendums will strangle the Board in its effort to make offers to the best and most qualified teachers and other staff members.

Seeing no further remarks from the public Mayor Wright read written communications from the following residents into the record. (Communications are attached.)

P. Joseph Harpie

Claude Paquette

Greg Soliari

## **ADJOURNMENT**

Seeing no further remarks from the public Mayor Wright closed the Public Hearing at 9:15pm

Respectfully Submitted,

Mrs. Jaime Trevethan  
Clerk of the Council